

MEMORANDUM

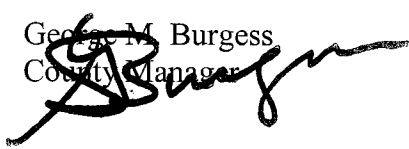
Agenda Item No. 4(F)

(Public Hearing 7-27-04)

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: February 17, 2004

FROM: George M. Burgess
County Manager



SUBJECT: S.W. 184th Street Road
Improvement and
Maintenance
Special Taxing District

RECOMMENDATION

It is recommended that the Board consider and act upon a petition submitted in accordance with Article 1, Chapter 18 of the Code, for creation of the S.W. 184th Street Road Improvement and Maintenance Special Taxing District, which lies outside the Urban Development Boundary (UDB). Typically, the county is restricted by the Comprehensive Development Master Plan (CDMP) when providing services outside the UDB; based on this, the Department of Planning and Zoning has opined that the improvements of this district would be inconsistent with the CDMP. However, this district will provide all costs for the initial improvement and subsequent maintenance. No allocation of county resources for this project is required. Section 5 of this district's report presents the Public Works Department's position that the CDMP exception language that allows services outside the UDB and reads, "except for those improvements necessary to protect public health and safety and which service the local needs of those non-urban areas", is applicable as the proposed improvement provides enhanced emergency and public safety access.

BACKGROUND

Commission District:	Nine
Boundaries:	All real properties fronting S.W. 184 th Street from S.W. 197 th Avenue to Levee L-31-N-1 at approximately S.W. 207 th Avenue.
Number of Parcels:	30
Number of Resident Owners:	9
Number of Owners With Homestead Exemption Signing Petition:	7 or 77.8 % of the resident property owners.
Preliminary Public Meeting:	November 19, 2003.

Type of Improvements:

The construction of an 8-inch thick, 24 foot wide, compacted limerock base with a 1-inch thick, 20 foot wide asphaltic concrete wearing surface. Annual roadway maintenance will be on an as-needed basis.

Required Referendum:

Every qualified registered voter residing within the district limits will be afforded the opportunity to vote at an election conducted by mail, estimated to be held in March, 2004.

Preliminary Assessment Roll:

Submitted on the same agenda as a separate agenda item for consideration and adoption by the Board of County Commissioners and contingent upon the Board's approval of this district's creation ordinance and subsequent ratifying referendum. The implementation of the assessment roll will be in accordance with the procedures defined in Chapter 18 of the Code.

Construction Completed:

March 2005.

ECONOMIC/FISCAL/HOUSING COSTS IMPACT ANALYSIS

The creation of this district is at the request of the proposed district property owners in accordance with Chapter 18 of the Miami-Dade County Code. The economic impact on the County's budget will be from the advancement of funds by several County Departments. Advancement of funds will result from various Departments' expenditure of labor and materials necessary to engineer and administer the district. All district costs incurred will be reimbursed to each Department after the Board's adoption of the preliminary assessment roll, ratification of the district by the qualified electorate within the district limits, and collection of the assessments from the affected property owners on their November 2004 and subsequent annual tax bills.

The economic impact on the private sector will be the special assessment levied for this improvement. Assessments levied may be paid in full or financed over a 15 years period.

At this time, there will be no increase or decrease in County staffing due to the creation of this district. The private sector may increase their staffing levels to provide the capital improvement and service requirements created by this special taxing district.

Estimated Initial Billing: August 2004. Installment option billed annually for 15 years as an itemized portion of the annual tax bill with the first installment placed on the November 2004 tax bill.


Estimated Total District Cost:	\$264,341
Method Of Apportionment:	Front Foot
Estimated Assessments	
Cost Per Assessable Front Foot:	\$25.82
For A 330 Front Ft. Lot:	\$8,520.60
For A 526 Front Ft. Lot:	\$13,581.32

The assessments shown above are representative costs for properties within this district.

State or Federal grants are not applicable to this special taxing district.

Each special taxing district is unique due to its geographical boundaries, affected property owners and level of services to be provided. Therefore, a previously approved ordinance could not be used and only a new ordinance will satisfy the requirements of Chapter 18 of the Code.

In accordance with the requirements of Section 18-3 of the Code, I have reviewed the facts submitted by the Public Works Director and concur with his recommendation that this district be created, if approved by the referendum required subsequent to this public hearing.


Assistant County Manager



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: July 27, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 4(F)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☒ No committee review

Approved _____ Mayor Agenda Item No. 4 (F)
7-27-04
Veto _____
Override _____

ORDINANCE NO.

ORDINANCE CREATING AND ESTABLISHING A SPECIAL TAXING DISTRICT IN MIAMI-DADE COUNTY, FLORIDA, KNOWN AND DESCRIBED AS S.W. 184th STREET ROAD IMPROVEMENT AND MAINTENANCE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Miami-Dade County Home Rule Amendment to the Florida Constitution (Article VIII, Section 6) grants to the electors of Miami-Dade County power to adopt a home rule charter of government for Miami-Dade County, Florida, and provides that such charter may provide a method for establishing special taxing districts and other governmental units in Miami-Dade County from time to time; and

WHEREAS, the Home Rule Charter adopted by the electors of Miami-Dade County on May 21, 1957, provides that the Board of County Commissioners, as the legislative and the governing body of Miami-Dade County, shall have the power to establish special purpose districts within which may be provided essential facilities and services, including street and road improvement facilities and services, and that all funds for such districts shall be provided by service charges, special assessments, or general tax levies within such districts only, and that the County Commission shall be the governing body of all such districts; and

WHEREAS, pursuant to such provisions of the Florida Constitution and the Home Rule Charter, the Board of County Commissioners duly enacted Chapter 18 of the Code of Miami-

Dade County, Florida, providing for the creation and establishment of special taxing districts and prescribing the procedures therefore; and

WHEREAS, in accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida, a petition for the creation of a special taxing district to be known as the S.W. 184TH STREET ROAD IMPROVEMENT AND MAINTENANCE SPECIAL TAXING DISTRICT duly signed by more than 50% of the resident owners of property within the proposed district, was filed with the Clerk of the County Commission. Such petition prayed for the creation and establishment of a special taxing district for the purpose of providing road improvements and maintenance to be financed solely by means of special assessments levied and collected within the area therein and hereinafter described; and

WHEREAS, upon receipt of such petition the Clerk of the County Commission transmitted a copy thereof to the County Manager who examined it and filed a written report with the Clerk certifying that such petition was sufficient in form and substance and signed and properly presented in accordance with the requirements of Chapter 18 of the Code of Miami-Dade County, Florida; and

WHEREAS, the County Manager, after making appropriate investigations, surveys, plans and specifications, compiled and filed with the Board of County Commissioners his written report and recommendations setting forth the boundaries of the proposed special taxing district, the location, nature and character of the street and road improvement project to be provided within the proposed district, an estimate of the cost of constructing such project, an estimate of the annual expense of maintaining such project, his certification that the proposed project and proposed district conform to or conflicts with the Comprehensive Development Master Plan (CDMP) for the County, and setting forth his recommendations concerning the need for and desirability for the requested project, the ability of the affected property to bear special

assessments for financing the cost of such project, an estimate of the amount to be assessed against each front foot of benefited property within the proposed district, and expressing his opinion that the property to be specially assessed will be benefited in excess of the special assessments to be levied, and the County Manager attached to such report and recommendations a map or sketch showing the boundaries and location of the proposed district. Such "Report and Recommendations" of the County Manager was filed with the Clerk and transmitted to the Chairperson; and

WHEREAS, it appearing to the Board of County Commissioners from such report of the County Manager and other investigations that the district petitioned for would be of special benefit to all property within the proposed boundaries and that the total amount of the special assessments to be levied would not be in excess of such special benefit; the Clerk of the Board certified the place, date and hour for a public hearing on the petition of the owner/developer/petitioner and the report and recommendations of the County Manager -- said hearing was held on Tuesday, . Copies of the public notice were duly published in a newspaper of general circulation published in Miami-Dade County, Florida, and copies thereof were posted in not less than five (5) public places within the proposed district, and copies thereof were mailed to all owners of taxable real property within the boundaries of the proposed district as their names and addresses appear on the latest Miami-Dade County Real Property Tax Roll; and

WHEREAS, pursuant to said notice, the Board of County Commissioners on Tuesday, , held a public hearing, at which all interested persons were afforded the opportunity to present their objections, if any, to the creation and establishment of the proposed special taxing district; and

WHEREAS, the Board of County Commissioners, upon review and consideration of the report and recommendations of the County Manager and the views expressed by the property owners within the proposed special taxing district, has determined to create and establish such special taxing district in accordance with the report and recommendations of the County Manager,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. In accordance with the provisions of Chapter 18 of the Code of Miami-Dade County, Florida, a special taxing district within unincorporated Miami-Dade County, known and designated as the S.W. 184TH STREET ROAD IMPROVEMENT AND MAINTENANCE SPECIAL TAXING DISTRICT is hereby created and established.

Section 2. The area or boundaries of this proposed special taxing district are as follows:

A portion of Sections 33 and 34, Township 55 South, Range 38 East, being more particularly described as follows:

That portion of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 33 lying southeasterly of Levee L-31-N-1 Right-of-Way;

And

Begin at the S.W. corner of the S.W. $\frac{1}{4}$ of said Section 34; thence N 643.61 feet, northeasterly 908.42 feet along the south Right-of-Way line of Levee L-31-N-1, S 1,246.87 feet, W 696.41 feet to Point of Beginning; and the S.E. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ less the N 120 feet of the W 445 feet thereof; and the S $\frac{1}{2}$ of the S.E. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$; and the S $\frac{1}{2}$ of the S.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$; and the S $\frac{1}{2}$ of the S.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$;

And

A portion of Section 3, Township 56 South, Range 38 East, being more particularly described as follows:

The N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$, less the S $\frac{1}{6}$ of the E $\frac{1}{2}$ of the E $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$; and the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the N.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$; and the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$; and the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the N.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$.

The area and location of this proposed special taxing district are shown on the map or sketch which is made a part hereof by reference.

Section 3. The improvements to be provided within this proposed special taxing district will consist of the following:

The improvement of S.W. 184th Street from Levee L-31-N-1 to S.W. 197th Avenue by the construction of an 8-inch thick, 24 foot wide, compacted limerock base with a 1-inch thick, 20 foot wide asphaltic concrete wearing surface. Annual roadway maintenance will be on an as-needed basis.

Section 4. The Public Works Department will cause preparation of necessary construction plans and specifications, advertise for competitive bids, award a contract, supervise construction of this project, and determine the necessity for and oversee any subsequent maintenance. The total cost for the construction of the road improvement (the capital component of this project) is estimated to be \$264,341. It is estimated that the cost per assessable front foot of real property within the proposed district for the capital component is \$25.82.

Section 5. It is hereby declared that said project will be a special benefit to all property within the proposed special taxing district and the total amount of special assessments to be levied as aforesaid will not be in excess of such special benefit.

Section 6 The Board hereby finds and determines that the road improvements which will be constructed in accordance with the provisions of this ordinance are not inconsistent with the CDMP because they fall within the exception provided in Objective 2B of the CDMP. These

road improvements will protect the public health and safety and are necessary to serve the localized needs of this nonurban taxing district and its residents.

Section 7. The County Manager is authorized and directed to cause to be constructed the street and road improvements to be provided within the district in accordance with the provisions of this Ordinance and is hereby authorized and directed to take all necessary steps to solicit and receive competitive bids in accordance with established County procedures. Subsequent to the completion of the road improvements, the County Manager is authorized on an as needed basis to oversee and direct any needed maintenance thereof.

Section 8. The County Manager is further directed to cause to be prepared and filed with the Clerk of the County Commission a Preliminary Assessment Roll reflecting the costs of the capital component of this district and subsequent assessment rolls reflecting maintenance costs for this district in accordance with the provisions of Section 18-14 of the Code of Miami-Dade County, Florida. As authorized by Section 197.363, Florida Statutes, all special assessments levied and imposed under the provisions of this Ordinance shall be collected, subject to the provisions of Chapter 197, Florida Statutes, in the same manner and at the same time as ad valorem taxes. In accordance with utilization of the ad valorem tax collection method, if such special assessments are not paid, when due, the potential for loss of title to the property exists.

Section 9. A duly certified copy of this Ordinance shall be filed in the Office of the Clerk of the Circuit Court of Miami-Dade County, Florida, and recorded in the appropriate book of records.

Section 10. The provisions of this Ordinance shall take effect when approved at an election to be formally called by this Board and noticed and conducted as this Board shall

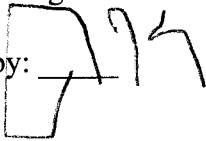
determine by Resolution, unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board and an approval by a majority of those voting at the election referred to herein.

Section 11. This Ordinance does not contain a sunset provision.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency. RA6

Prepared by:

A handwritten signature in black ink, appearing to be "JK", written over a rectangular box.

James K. Kracht

**REPORT AND RECOMMENDATIONS ON THE CREATION
OF S.W. 184TH STREET ROAD IMPROVEMENT AND MAINTENANCE
SPECIAL TAXING DISTRICT
MIAMI-DADE COUNTY, FLORIDA**

Pursuant to Chapter 18 of the Code, and as a result of a detailed investigation of a duly petitioned for special taxing district, the following facts are submitted by the Public Works Director concerning the creation of S.W. 184th Street Road Improvement and Maintenance Special Taxing District.

1. BOUNDARIES OF THIS DISTRICT

The proposed district lies outside the Urban Development Boundary (UDB), and is located entirely within a portion of unincorporated Miami-Dade County, and the boundaries, as set forth in the petition, are as follows:

A portion of Sections 33 and 34, Township 55 South, Range 38 East, being more particularly described as follows:

That portion of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 33 lying southeasterly of Levee L-31-N-1 Right-of-Way;

And

Begin at the S.W. corner of the S.W. $\frac{1}{4}$ of said Section 34; thence N 643.61 feet, northeasterly 908.42 feet along the south Right-of-Way line of Levee L-31-N-1, S 1,246.87 feet, W 696.41 feet to Point of Beginning; and the S.E. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ less the N 120 feet of the W 445 feet thereof; and the S $\frac{1}{2}$ of the S.E. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$; and the S $\frac{1}{2}$ of the S.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$; and the S $\frac{1}{2}$ of the S.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$;

And

A portion of Section 3, Township 56 South, Range 38 East, being more particularly described as follows:

The N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$, less the S $\frac{1}{6}$ of the E $\frac{1}{2}$ of the E $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$; and the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the N.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$; and the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the N.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$; and the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of the N.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$.

All of the abovementioned located in Miami-Dade County, Florida.

The boundaries are shown on the attached plan entitled S.W. 184th Street Road Improvement and Maintenance Special Taxing District and hereinafter referred to as Exhibit A.

A preliminary community meeting was held on November 19, 2003 at Redland Middle School, to present the facts pertaining to the boundaries of this district, a description of the improvement to be provided, its costs, and the method of payment.

2. DESCRIPTION AND LOCATION OF THE SERVICE TO BE PROVIDED

The improvement will consist of the construction of an 8-inch thick, 24 foot wide compacted limerock base, with a 1-inch thick, 20 foot wide asphaltic concrete wearing surface on S.W. 184th Street from Levee L-31-N-1 to S.W. 197th Avenue . The described street constitutes approximately 5,120 feet of roadway to be constructed and will be filled, as required, so that the final elevation of the new road will be equal to the flood criteria established for the general land area within the district. The shoulders of the new road will be graded and sloped to existing ground. Maintenance will be provided by the district on an as-needed basis until such time as this area is within the urban development boundary and becomes eligible for county Ad Valorem road maintenance funding.

All materials and the work to be completed will be performed in accordance with the applicable standards as set by the Miami-Dade County Public Works Department.

Roadway construction will commence at the earliest practicable time following the creation and establishment of the district by the Miami-Dade County Board of County Commissioners and said creation ratified by the electorate at the required subsequent referendum.

3. ESTIMATED COST FOR THIS SERVICE

The request made by the petitioners is for a roadway to be constructed as indicated in Section 2 above. A cost estimate developed by the Public Works Department, based on estimates previously provided for similar taxing districts, indicates that the construction of the road will cost \$215,000. In addition to the construction cost must be added the cost of administration and engineering estimated to be \$10,000. Also, it

will be necessary for the County to charge the district a fee for advertising, conducting a election, handling the billing, and collecting the assessments. This cost is estimated to be \$4,341. Additionally, contingency funds in the amount of \$35,000 are provided. Therefore, the total cost is estimated to be \$264,341.

ESTIMATED COSTS

Construction Cost	\$215,000
Engineering & Administration Costs	10,000
Advertising, Printing, Mailing, Election and Collection Costs	4,341
Contingency Cost	<u>35,000</u>
Estimated Total District Cost	\$264,341

SAMPLE ASSESSMENTS

Cost Per Assessable Front Foot	\$25.82
For A 330 Front Ft. Lot:	\$ 8,520.60
For A 526 Front Ft. Lot:	\$13,581.32

The assessments shown above are representative of costs for typical lots within this district.

These costs are based on a preliminary estimate of 10,240 assessable front feet and will be adjusted from actual experience.

4. PROCEDURE

The road improvement, upon completion, will be maintained by the district on an as-needed basis until such time as the area lies within the Urban Development Boundary.

5. CONFORMITY TO THE MASTER PLAN OF MIAMI-DADE COUNTY

The Department of Planning and Zoning (memorandum attached) has stated that the proposed roadway improvement does not demonstrate a need to protect public health and safety, and therefore, is inconsistent with the Comprehensive Development Master Plan of Miami-Dade County.

However, the Public Works Department strongly believes that the exception language in the CDMP is applicable to this district which is proposing to provide a 20 foot paved wearing surface on the existing rock road. Once the proposed improvements are completed, they will enhance the response times for delivery of emergency services. All funding would be provided from district special assessments for the capital, as well as the ongoing maintenance of this improvement, and therefore, no allocation of County resources would be required.

Furthermore, the Public Works Department is developing an amendment to Ordinance #94-28. The proposed amendment will address access issues that have recently arisen as a result of existing legislation. Once adopted, the amended ordinance will further reinforce the Public Works Department's position on this issue.

6. RECOMMENDATION CONCERNING THE DESIRABILITY OF THIS DISTRICT

The 2003 net property valuation within the district, as taken from the Miami-Dade County Real Estate Property Cards, is \$4,994,943, which is a good indication that the affected property is able to pay such assessments as may be required and, in my opinion, the proposed improvements will provide special benefits to property within the district exceeding the amount of special assessments to be levied.

7. ESTIMATE OF ASSESSMENT AGAINST BENEFITED PROPERTY

As was determined in Item 3 above, each owner of property will pay the County, through a special assessment, a proportionate share of the total project cost. Property owners may choose to pay off their entire

capital special assessment in response to their notice of improvement lien within thirty (30) days of the notice's issuance, without interest. Assessments may also be financed through Miami-Dade County over a fifteen-year period with interest at one percent (1%) over the County's borrowing rate but no less than seven and a half percent (7 ½ %). A maintenance assessment will commence at the time pavement deterioration and signage replacement requires funding. Any excess monies collected from the capital improvement project will be escrowed to cover any future maintenance costs.

8. RECOMMENDATION

It is my recommendation that the creation, financing and implementation of the district be authorized by an ordinance adopted by the Board of County Commissioners, subject to ratification by the district's electorate at a special referendum to be called by the Board. It is also recommended that upon adoption of the ordinance creating this special taxing district, the Board adopt, as the next agenda item, a resolution calling for a special election, as required by Chapter 18 of the Code. Said election will be conducted by the Miami-Dade County Elections Department using a mailed ballot provided, along with a project report summary, to each district registered voter. It is further recommended that the Board also adopt the district's preliminary assessment roll resolution. Adoption of this resolution will enable the Miami-Dade County Tax Collector to bill the affected property owners, collection of which will provide the necessary funds to reimburse affected County Agencies involved in the creation and establishment of the district, as well as provide the funding to construct and maintain the improvement provided by the district. The implementation of the assessment roll will follow the procedures defined in Chapter 18 of the Code and be subject to district ratification by the qualified electorate. The assessment will appear on the November 2004 tax bill following the election, if approved by the electorate. In the event actual construction costs are lower than the estimated costs, excess monies will be deposited to the credit of the road maintenance district. Should actual costs be higher than the

ordinance cost estimate, the County Manager may, at his discretion, cause to be prepared a revised preliminary assessment roll and file the same with the Clerk of the Board for a scheduled public hearing to adopt it. The ordinance shall take effect when ratified at an election to be formally called, noticed and conducted as this Board shall determine by resolution, unless vetoed by the Mayor, and if vetoed, it shall become effective only upon an override by the Board and the district approved at the subsequent election. My office will also be available to answer any questions from the public or from your office with regards to the financial and/or engineering facts of this district. We further recommend that the County Manager forward the attached report to the Board of County Commissioners after he has reviewed it and concurred with our findings.

Encls: (1) Copy of the Validation Memo to the Clerk of the Board
 (2) Copy of Memo from Department of Planning and Zoning
 (3) Copy of Summary of Report
 (4) District Boundaries Map (Exhibit A)

MEMORANDUM

TO: Kay M. Sullivan, Director
Office of the Clerk of the Board
Attn: Keith Knowles

DATE: July 9, 2003

FROM: Charles W. Small, Jr.
Acting Chief
Special Taxing Districts Division

SUBJECT: S. W. 184th Street
Road Improvement
and Maintenance
Special Taxing District

In reference to the subject petition, we hereby certify that, in compliance with Chapter 18 of the Miami-Dade County Code, this Department has verified the names in the attached petition against the records of the Property Appraisal Department, and is submitting the following information:

- | | | |
|----|--|-------------|
| 1. | Total number of parcels of land within district boundaries | 30 |
| 2. | Total number of resident owners of property within district boundaries | 9 |
| 3. | Total number of resident owners signing the attached petition | 7 |
| 4. | Percentage of resident owners signing the attached petition | 77.8% |
| 5. | Net property valuation. | \$4,994,943 |

Utilizing Homestead Exemption as the basis for the resident owner requirement, we certify that this petition does contain more than the 50% affirmative signatures of the resident property owners within the proposed district boundaries required by Section 18-3 of the Code; therefore, the subject petition is valid.

Attachment

**S.W. 184TH STREET ROAD IMPROVEMENT AND MAINTENANCE SPECIAL TAXING DISTRICT
MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT SPECIAL TAXING DISTRICT DIVISION**

Date of Petition 06/16/03

Date of Receipt of Petition by STDD 6/24/03

To the Petitioner: You are required to circulate this petition among all property owners within the district boundaries listed below. All property owners signing must indicate on the petition their position either **FOR** or **AGAINST** the improvement. In order for a petition to be considered a valid current indicator of community preference, it must be completed and returned within four months from the date of issue. All submitted petition forms must be original and completed in ink.

To the Board of County Commissioners of Miami-Dade County, Florida: We, the undersigned resident property owner hereby indicate our preference, **FOR** or **AGAINST**, the proposed improvement identified in this petition. Those property owners indicating a preference **FOR** the proposed public improvement are petitioning the Miami-Dade County Board of County Commissioners to create the proposed S.W. 184th Street from S.W. 197th Avenue to S.W. 207th Avenue Road Improvement and Maintenance Special Taxing District. If approved by the Board, a subsequent Special Election will be held for all registered voters residing in the district to ratify the Board's decision.

PROPOSED PUBLIC IMPROVEMENT: Construction of a 20 foot wide, 1" thick asphalt concrete wearing surface over compacted limerock base.

Proposed Boundaries: All real properties fronting S.W. 184th Street from S.W. 197th Avenue to S.W. 207th Avenue.
(See boundaries sketch attached as Exhibit A)

ESTIMATED COST FOR THIS IMPROVEMENT IS \$25.82 PER ASSESSABLE FRONT FOOT. ESTIMATED INDIVIDUAL PROPERTY ASSESSMENT WILL RANGE FROM \$8,600 TO \$16,500. IT CAN BE PAID IN FULL UPON RECEIPT OF NOTICE OF IMPROVEMENT LIEN OR BE FINANCED OVER A FIFTEEN (15) YEAR PERIOD WITH INTEREST AT 1% ABOVE THE COUNTY'S FINANCING RATE. ANNUAL MAINTENANCE COSTS ARE ESTIMATED TO BE FROM \$45 TO \$90 ASSESSED ON AN AS NEED BASIS.

OWNER'S NAME	PROPERTY ADDRESS	FOR	AGAINST	DATE SIGNED
Print: Orlando Leyva		✓	VS	06/17/03
Sign: Orlando Leyva	30-5834-Folio: 000-0140			
Print: Elia Jesus Quezada		✓	HS	6/19/03
Sign: Elia Jesus Quezada	30-5834-Folio: 000-0120			
Print: Maria Fernandez	305834	✓	HS	6/19/03
Sign: Maria Fernandez	Folio: 000-0016			
Print: Ricardo Perez		✓	VS	6/23/03
Sign: Ricardo Perez	Folio: 30-5834-000-0190			
Print: Isaac Rajman		✓	VS	6/23/03
Sign: Isaac Rajman	Folio: 30-6803-000-0121			
Print: Isaac Rajman		✓	VS	6/23/03
Sign: Isaac Rajman	Folio: 30-6803-000-0119			

NOTE: Only affirmative signatures of resident property owners, and only one resident owner's signature per household, will count toward the 50% Code requirement for petition validation. However, circulation of petition among non-owner residents is urged to ensure these persons are informed of this proposal on which they may be called to vote. **Altering this form in any way invalidates the entire petition.**

**S.W. 184TH STREET ROAD IMPROVEMENT AND MAINTENANCE SPECIAL TAXING DISTRICT
MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT SPECIAL TAXING DISTRICT DIVISION**

Date of Petition 06/16/03

Date of Receipt of Petition by STDD 6/24/03

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PROPOSED PUBLIC IMPROVEMENT: Construction of a 20 foot wide, 1" thick asphalt concrete wearing surface over compacted limerock base.

Proposed Boundaries: All real properties fronting S.W. 184th Street from S.W. 197th Avenue to S.W. 207th Avenue.
(See boundaries sketch attached as Exhibit A)

ESTIMATED COST FOR THIS IMPROVEMENT IS \$25.82 PER ASSESSABLE FRONT FOOT. ESTIMATED INDIVIDUAL PROPERTY ASSESSMENT WILL RANGE FROM \$8,600 TO \$16,500. IT CAN BE PAID IN FULL UPON RECEIPT OF NOTICE OF IMPROVEMENT LIEN OR BE FINANCED OVER A FIFTEEN (15) YEAR PERIOD WITH INTEREST AT 1% ABOVE THE COUNTY'S FINANCING RATE. ANNUAL MAINTENANCE COSTS ARE ESTIMATED TO BE FROM \$45 TO \$90 ASSESSED ON AN AS NEED BASIS.

OWNER'S NAME	PROPERTY ADDRESS	FOR	AGAINST	DATE SIGNED
Print: E. F. GARCIA			VS	
Sign: E. F. Garcia	Folio: 30-5834-000-0080	✓		6/19/03
Print: Jose E. Fernandez			HS	
Sign: Jose E. Fernandez	Folio: 30-5833-000-0030	✓		6/17/03
Print: NICOLAS Cabreze			VS	
Sign: Nicolas Cabreze	Folio: 30-6803-000-0170	✓		6/18/03
Print: Louis A. Acosta (Pinar Farms Inc.)			VS	
Sign: Louis A. Acosta	Folio: 30-5834-000-0018	✓		6/22/03
Print: Louis A. Acosta (Pinar Farms Inc.)			VS	
Sign: Louis A. Acosta	Folio: 30-5834-000-0025	✓		6/22/03
Print: CARMEN ROMERO			VS	
Sign: Carmen Romero	Folio: 30-5834-000-0017	✓		6/22/03

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**S.W. 184TH STREET ROAD IMPROVEMENT AND MAINTENANCE SPECIAL TAXING DISTRICT
MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT SPECIAL TAXING DISTRICT DIVISION**

Date of Petition 06/16/03

Date of Receipt of Petition by STDD 6/24/03

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OWNER'S NAME	PROPERTY ADDRESS	FOR	AGAINST	DATE SIGNED
Print: ALFONSO MENDEZ		✓	VS	6/17/03
Sign: Alfonso Mendez	Folio: 30-5834-000-0130			
Print: Eloy & Michelle Garcia	30-6803-000-0078	✓	VS	6/17/03
Sign: Michelle Garcia	Folio:			
Print: José E. Rodríguez		✓	VS	6/17/03
Sign: José Rodríguez	30-6803-000-0200			
Print: Marcos J. HERRERA		✓	VS	6/18/03
Sign: M.J.H.	30-5834-000-0150			
Print: Juan D. Gonzalez	30-6803-000-0088	✓	HS	6/18/03
Sign: Juan D. Gonzalez	Folio:			
Print: LAZARA G. Carbajo		✓	HS	6/18/03
Sign: Lazara G. Carbajo	30-6803-000-0230			

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S.W. 184TH STREET ROAD IMPROVEMENT AND MAINTENANCE SPECIAL TAXING DISTRICT
MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT SPECIAL TAXING DISTRICT DIVISION

Date of Petition 06/16/03

Date of Receipt of Petition by STDD 6/24/03

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OWNER'S NAME	PROPERTY ADDRESS	FOR	AGAINST	DATE SIGNED
Print: <i>Juliana Hernandez</i>				
Sign: <i>[Signature]</i>	30-5834- Folio: 000-095	✓	HS	6/17/03
Print: <i>Nereida Rodriguez</i>				
Sign: <i>Nellie Rodriguez</i>	30-6803- Folio: 000-0118	✓	H [NOR]	6-17-03
Print: <i>Wendy Lopez</i>				
Sign: <i>[Signature]</i>	30-6803- Folio: 000-0082	✓	VS	6-17-03
Print: <i>Clare M. Siboni</i>				
Sign: <i>Clare M. Siboni</i>	30-6803- Folio: 000-0070	✓	VS	6-17-03
Print: <i>Vilma Miguelez</i>				
Sign: <i>[Signature]</i>	30-6803- Folio: 000-0190	✓	H [NOR]	6/17/03
Print: <i>Roger Gresham</i>				
Sign: <i>[Signature]</i>	30-6803- Folio: 000-0117	✓	[NOR]	6/17/03

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**S.W. 184TH STREET ROAD IMPROVEMENT AND MAINTENANCE SPECIAL TAXING DISTRICT
MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT SPECIAL TAXING DISTRICT DIVISION**

Date of Petition 06/16/03

Date of Receipt of Petition by STDD 06/24/03

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OWNER'S NAME	PROPERTY ADDRESS	FOR	AGAINST	DATE SIGNED
Print: SEBASTIAN RAMIREZ		✓	HS	06/23/03
Sign: Sebastian Ramirez	Folio: 30-6803-000-0057			
Print:				
Sign:	Folio:			
Print:				
Sign:	Folio:			
Print:				
Sign:	Folio:			
Print:				
Sign:	Folio:			
Print:				
Sign:	Folio:			

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6

**S.W. 184TH STREET ROAD IMPROVEMENT AND MAINTENANCE SPECIAL TAXING DISTRICT
MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT SPECIAL TAXING DISTRICT DIVISION**

Date of Petition 06/16/03

Date of Receipt of Petition by STDD 9/3/03

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OWNER'S NAME	PROPERTY ADDRESS	FOR	AGAINST	DATE SIGNED
Print: SEBASTIAN RAMIREZ		✓	DUP. SIGNED	06/23/03
Sign: Sebastian Ramirez	Folio: 30-6803-000-0057			
Print: ARMANDO MENDOZA		✓	VS	8-27-03
Sign: Armando Mendoza	Folio: 30-6803-000-0051			
Print: EUGENIO SPINOSA		✓	VS	8/27/02
Sign: Eugenio Spinosa	Folio: 30-6803-000-0079			
Print: Jose Rodriguez		✓	VS	9/3/03
Sign: Jose Rodriguez	Folio: 30-5834-000-0180			
Print:				
Sign:	Folio:			
Print:				
Sign:	Folio:			


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MEMORANDUM

To: Charles W. Small, Jr., Acting Chief
Special Taxing District Division
Public Works Department

Date: December 2, 2003

From: 
Diane O'Quinn Williams, Director
Department of Planning and Zoning

Subject: Proposed S.W. 184th Street Road
Improvement and Maintenance
Special Taxing District

Staff has reviewed the request for establishing a road improvement special taxing district and offers the following comments:

The proposed district is located along S.W. 184th Street between SW 197 and 207 Avenues outside the 2005 Urban Development Boundary (UDB) and designated on the Adopted 2005 and 2015 Land Use Plan (LUP) map "Agriculture." Areas designated Agriculture contain the best agricultural land remaining in Miami-Dade County and should be protected. In order to protect agricultural land, uses or facilities that support or encourage urban development are to be avoided in Agriculture designated areas. Moreover, Objective 5 of the Land Use Element (LUE) states that "...all public and private activities regarding the use, development and redevelopment of land and the provision of urban services and infrastructure shall be consistent with the goal, objectives and policies of this Element " (p. I-11 of the CDMP).

The proposed district does not demonstrate consistency with CDMP LUE Policy 2B and Traffic Circulation Subelement Policy 4C state that the priority in the provision of services and facilities and the allocation of financial resources and services in Miami-Dade County shall be given first to serve the area within the Urban Development Boundary (UDB) of the Land Use Plan (LUP) map. Second priority shall support the staged development of the Urban Expansion Area (UEA). Urban services and facilities, including transportation improvements, which support or encourage urban development in Agriculture and Open Land areas shall be avoided, except for those improvements necessary to protect public health and safety and which service the localized needs of these non-urban areas. SW 184th Street between SW 182 Avenue and SW 207 Avenue is an unpaved section line public road. The proposed roadway improvement from SW 197 to SW 207 Avenues does not demonstrate a need to protect public health and safety, and therefore is inconsistent with the CDMP. The approval of such special taxing districts to pave County section line roads outside the UDB, sets an undesirable precedent. Unpaved roads are characteristic of the rural lifestyle chosen by the residents who live there.

Charles W. Small
Page -2-
December 2, 2003

In conclusion, based upon the relevant CDMP goals, objectives, policies and Land Use Plan map provisions, I find that the approval of the proposed special taxing district would be inconsistent with the adopted goals, objectives and policies of the CDMP.

Should you have any questions regarding this information, please feel free to call Mr. Mark R. Woerner, Chief of the Metropolitan Planning Section, at ext. 2835.

DOQW:SB:MRW:NS

SUMMARY OF THE REPORT ON THE CREATION OF
S.W. 184TH STREET ROAD IMPROVEMENT AND MAINTENANCE
SPECIAL TAXING DISTRICT
MIAMI-DADE COUNTY, FLORIDA

A petition submitted to Miami-Dade County for the creation of a special taxing district to be known as the S.W. 184th Street Road Improvement and Maintenance Special Taxing District was presented in accordance with the requirements of Article I, Chapter 18 of the Code of Miami-Dade County.

The district is located entirely within a portion of unincorporated Miami-Dade County, Florida, and its boundaries are approximately set forth as follows:

All real properties fronting S.W. 184th Street
from S.W. 197th Avenue to Levee L-31-N-1
at approximately S.W. 207th Avenue.

The district boundaries are shown on the attached plan entitled S.W. 184th Street Road Improvement and Maintenance Special Taxing District, and hereinafter referred to as Exhibit A.

The improvement will consist of the construction of an 8-inch thick, 24 foot wide, compacted limerock base, with a 1-inch thick, 20 foot wide asphaltic concrete wearing surface on S.W. 184th Street from Levee L-31-N-1 to S.W. 197th Avenue . The described street constitutes approximately 5,120 feet of roadway to be constructed and will be filled, as required, so that the final elevation of the new road will be equal to the flood criteria established for the general land area within the district. The shoulders of the new road will be graded and sloped to existing ground. Maintenance will be provided by the district on an as-needed basis until such time as this area is within the urban development boundaries and eligible for county ad valorem road maintenance funding.

ESTIMATED COSTS

Construction Cost		\$215,000
Engineering & Administration Costs		10,000
Advertising, Printing, Mailing, Election and Collection Costs		4,341
Contingency Cost		<u>35,000</u>
Estimated Total District Cost	16 27	\$264,341

ESTIMATED SAMPLE ASSESSMENTS

Cost Per Assessable Front Foot	\$25.82
For A 330 Front Ft. Lot	\$8,520.60
For A 526 Front Ft. Lot	\$13,581.32

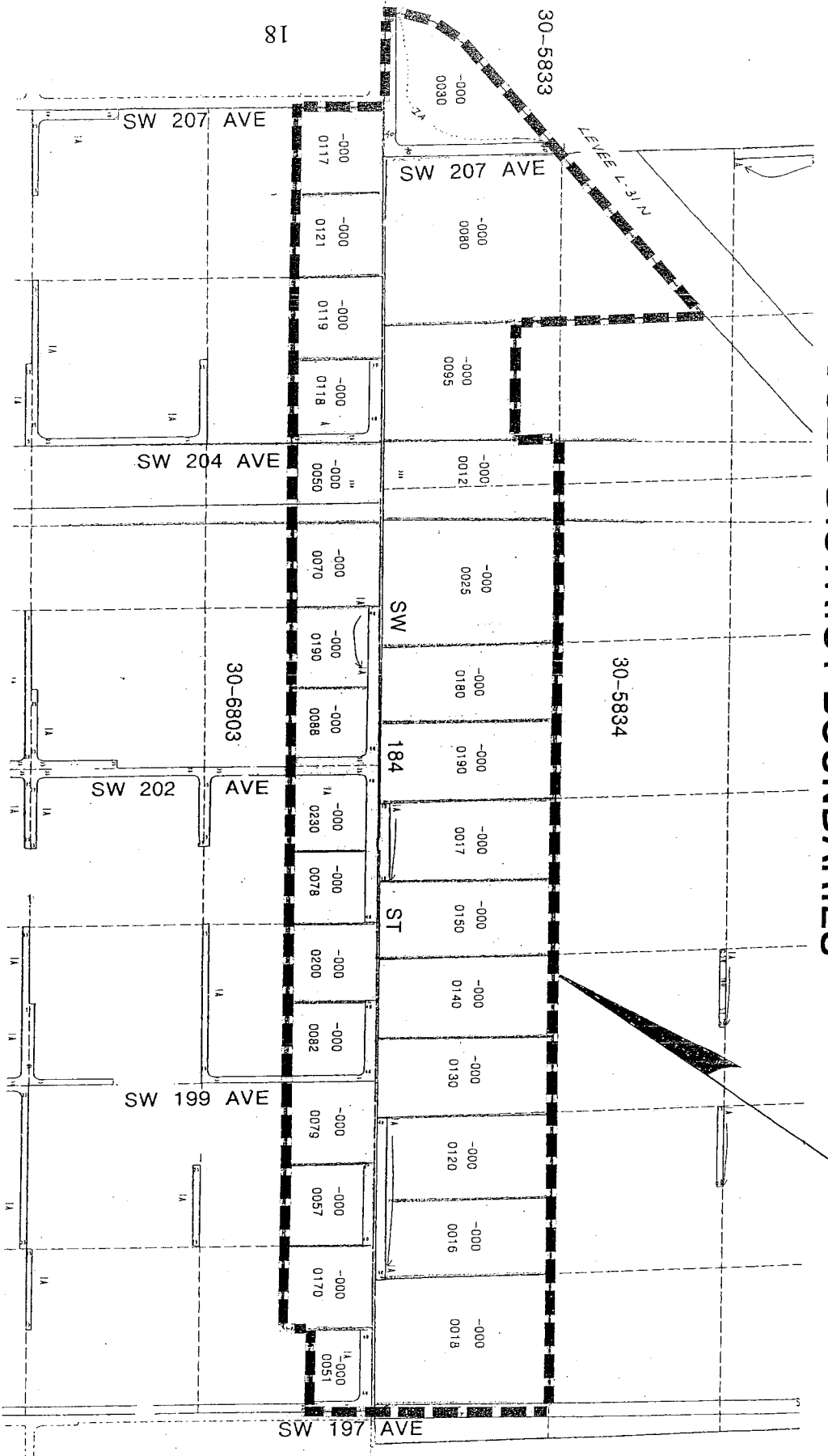
Property owners may chose to pay off their entire special assessment in response to their notice of improvement lien within 30 days of the notice's issuance, without interest. Also, assessments may be financed through Miami-Dade County over a fifteen-year period at one percent (1%) over the County's borrowing rate but no less than seven and a half percent (7 ½ %).

The proposed improvement conforms with the Comprehensive Development master Plan of Miami-Dade County and will provide benefits to all property within the district at least equal to or exceeding the total amount of special assessments.

The creation of the district will be subject to the results of an election which will be conducted by the Miami-Dade County Elections Department in which a ballot will be sent by mail to each qualified registered elector living within the proposed boundaries. The elector will, at that time, have the opportunity to vote for or against the proposed district. The results of this election will determine whether or not the district is created.

Attachment: Exhibit A

PROPOSED DISTRICT BOUNDARIES



SW 184 STREET

ROAD IMPROVEMENT AND MAINTENANCE
SPECIAL TAXING DISTRICT

(COMM. 0009)

SECTION: 3-56-38 & 34-55-38 & 33-55-38

EXHIBIT "A"